

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

WANDA FAYE JONES, <i>et al.</i>,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:12-cv-00203
)	JUDGE CRENSHAW
ELITE EMERGENCY SERVICES,)	
LLC, <i>et al.</i>,)	
)	
Defendants.)	


ORDER

Before the Court is Defendants' Rule 60(b) motion for relief from final judgment. (Doc. Nos. 179, 264.) This case is set for an evidentiary hearing on March 16, 2017, at 9:00 a.m. Absent extraordinary circumstances, the hearing will conclude on that day. In preparation for that hearing, the Court rules as follows:

1. The Rule 60(b) motion is timely. Jones v. Ill. Cent. R. Co., 617 F.3d 843, 851 (6th Cir. 2010). Plaintiffs do not cite any case where the Court held that a party may file a Rule 60 motion on anything other than a final order or judgment. Contra Rodriguez v. Tenn. Laborers Health & Welfare Fund, 89 Fed. Appx. 949, 959 (6th Cir. 2004) (finding that Rule 54 is the appropriate vehicle for a party to move for a court to reconsider an interlocutory order).
2. The Motion for Clarification (Doc. No. 194) is **GRANTED**. The automatic stay is still in effect until the Court rules on the Rule 60(b) motion.
3. Plaintiffs' Emergency Motion for Immediate Denial of Defendants' Rule 60(b)(3) Motion (Doc. No. 229) is **DENIED**.
4. Plaintiffs' Motion in Limine Number 1 (Doc. No. 247) is **DENIED**.
5. Plaintiffs' Motion in Limine Number 2 (Doc. No. 248) is **DENIED WITHOUT PREJUDICE**.
6. Plaintiffs' Motion in Limine Number 3 (Doc. No. 249) is **DENIED**.

7. Plaintiffs' Motion in Limine Number 4 (Doc. No. 250) is **DENIED**. The evidence Plaintiff seeks to exclude satisfies Federal Rule of Evidence 401.
8. Plaintiffs' Motion in Limine Number 5 (Doc. No. 251) is **DENIED**. The Court will permit live testimony at the evidentiary hearing.
9. Plaintiffs' Motion in Limine Number 6 (Doc. No. 252) is **GRANTED IN PART** to permit the parties to raise hearsay and other evidentiary objections at the hearing, and **DENIED IN PART** in all other respects.
10. Plaintiffs' Motion in Limine Number 7 (Doc. No. 253) is **DENIED WITHOUT PREJUDICE** to the parties making evidentiary objections to exhibits at the evidentiary hearing.
11. Plaintiffs' Motion in Limine Number 8 (Doc. No. 254) is **DENIED WITHOUT PREJUDICE** to the parties making evidentiary objections to exhibits at the evidentiary hearing.
12. Plaintiffs' Motion in Limine Number 9 (Doc. No. 255) is **DENIED**. The parties may present deposition testimony as provided in the Federal Rules of Civil Procedure.
13. Defendants' Objections to Plaintiffs' Exhibit List (Doc. No. 276) is **DENIED WITHOUT PREJUDICE** to the parties making evidentiary objections at the hearing. The Court cautions the parties to avoid frivolous objections, such as an objection to a Tennessee Court of Appeals opinion, as it may give support to a motion for sanctions.
14. Plaintiffs' Request for Permission for Leave to File Amendment (Doc. No. 280) is **GRANTED**.
15. Plaintiffs' Motion to be Excused from Personal Attendance at the Evidentiary Hearing (Doc. No. 256) is **DENIED**.
16. Plaintiffs' Motion to Disregard Defendants' Pre-Hearing Filings Which do not Comply with this Court's Order (Doc. No. 266) is **DENIED**.
17. Plaintiffs' Motion for Attorneys' Fees, Expenses, and Costs (Doc. Nos. 180, 185) is **DENIED WITHOUT PREJUDICE** to Plaintiffs re-filing the motion if the Court denies the Rule 60 motion.
18. Plaintiffs' Motion for Sanctions (Doc. No. 257) is **DENIED WITHOUT PREJUDICE** to Plaintiffs re-filing the motion should the Court deny the Rule 60 motion.
19. Defendants' Motion to Supplement their Rule 60(b) motion (Doc. No. 200) is **GRANTED**.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE